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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,087	08/20/2008	Young Jin Kim	05-517-B	1136
20/306 7590 06/23/2010 MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP 300 S. WACKER DRIVE 32ND FLOOR CHICAGO, IL 60606				
EXAMINER CHOUDHURY, AZIZUL Q				
ART UNIT		PAPER NUMBER		
2445				
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06/23/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/586,087

**Applicant(s)**

KIM, YOUNG JIN

**Examiner**

AZIZUL CHOUDHURY

**Art Unit**

2445

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2010.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 3-18 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 13 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/SB/IC)  
Paper No(s)/Mail Date 02/29/2008, 05/04/2010, 06/11/2010  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

***Detailed Action***

This office action is in response to the correspondence received on June 9, 2010.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 3-18 are rejected under 35 U.S.C. 101 because the claims are not limited to tangible embodiments. The current claims do not feature any physical attributes. As such, the claims are not limited to statutory subject matter and are, therefore, non-statutory.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling (US Patent No: 6,636,499) in view of Nguyen et al (US Patent No: 6,219,703), hereafter referred to as Dowling and Nguyen, respectively.

1. With regards to claims 3 and 14, Dowling teaches a method comprising: a network management system (NMS) receiving a trap message from an agent, wherein the NMS has access to an NMS management information base (MIB), and wherein the agent has access to an agent MIB (*Dowling teaches an agent sending a trap message to a NMS. The agent and NMS have access to a MIB; see column 9, lines 5-14, Dowling*); in response to receiving the trap message, the NMS conducting a walk operation on the agent MIB (*Dowling teaches the NMS performing a "Get Next" operation (which is a SNMP "walk" command) upon receiving a "trap" message; see column 9, lines 5-14 and Table 1, Dowling*); and based on a result of the walk operation, the NMS updating the NMS MIB (*Dowling teaches the NMS (commander) walking the linked list (MIB) and updating the MIB; see column 23, lines 50-55, Dowling*).

*While Dowling teaches a network management design that uses MIB, Dowling does not explicitly teach the agent and the NMS each having their own MIB. In the same field of endeavor, Nguyen also teaches a network management design that uses MIB. Within Nguyen's disclosure, it is taught how a NMS has a MIB and each agent has a MIB; see Figure 1 and column 1, lines 44-48, Nguyen. These MIB's can be compared and updated against one another (versioning); see column 4, lines 30-42 and 65-67, Nguyen. Having a MIB in both the NMS and the agent allows for each device to have a list of known devices within the network. Therefore it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of*

*Dowling with those of Nguyen for the purpose of managing devices within a network; see column 4, lines 63-65, Nguyen.*

2. With regards to claim 4, Dowling teaches the method wherein the NMS stores the NMS MIB and the agent stores the agent MIB (*Nguyen teaches the NMS storing its MIB (see column 3, line 62 and column 4, lines 3-4) and the agent storing its MIB (see column 4, lines 17-18)).*
3. With regards to claim 5, Dowling teaches the method wherein the trap message is a simple network management protocol (SNMP) trap message and the walk operation is an SNMP walk operation (*Dowling teaches SNMP trap (see column 9, lines 9-10) and Get-Next (the SNMP walk operation) (Table 1). See also column 23, lines 49-51, Dowling).*
4. With regards to claim 6, Dowling teaches the method wherein the NMS updating the NMS MIB comprises the NMS updating the NMS MIB to be synchronized with the agent MIB (*see column 4, lines 30-42 and 65-67, Nguyen).*
5. With regards to claim 7, Dowling teaches the method further comprising: the NMS transmitting at least part of the updated NMS MIB to the agent (*see column 1, line 61—column 2, line 14, Nguyen).*

6. With regards to claim 8, Dowling teaches a method comprising: an agent checking an object identifier (OID), wherein the agent has access to an agent management information base (MIB) (*see device number; column 21, line 58, Dowling. Also see column 15, lines 39-45 and column 16, lines 8-15, Dowling*); the agent determining that the OID has changed (*see column 23, lines 40-41, Dowling*); in response to determining that the OID has changed, the agent transmitting a trap message to a network management system (NMS), wherein the NMS has access to an NMS MIB (*Dowling teaches the NMS performing a "Get Next" operation (which is a SNMP "walk" command) upon receiving a "trap" message; see column 9, lines 5-14 and Table 1, Dowling*); the agent receiving a walk operation request from the NMS (*Dowling's NMS performs a "Get Next" operation (which is a SNMP "walk" command) upon receiving a "trap" message; see column 9, lines 5-14 and Table 1, Dowling*); and in response to receiving the walk operation request, the agent transmitting a walk operation reply to the NMS (*Dowling teaches the NMS (commander) walking the linked list (MIB) and updating the MIB; see column 23, lines 50-55, Dowling*).

*While Dowling teaches a network management design that uses MIB, Dowling does not explicitly teach the agent and the NMS each having their own MIB. In the same field of endeavor, Nguyen also teaches a network management design that uses MIB. Within Nguyen's disclosure, it is taught how a NMS has a MIB and each agent has a MIB; see Figure 1 and column 1, lines 44-48, Nguyen. These MIB's can be compared and updated against one another*

*(versioning); see column 4, lines 30-42 and 65-67, Nguyen. Having a MIB in both the NMS and the agent allows for each device to have a list of known devices within the network. Therefore it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Dowling with those of Nguyen for the purpose of managing devices within a network; see column 4, lines 63-65, Nguyen.*

7. With regards to claim 13, Dowling teaches the method wherein the OID is named MIB\_Info\_Last\_Change\_Time (see column 15, lines 39-45, Dowling).
8. The obviousness motivation applied to independent claims 3, 8 and 14 are applicable to their respective dependent claims.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AZIZUL CHOUDHURY whose telephone number is (571)272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. C./  
Examiner, Art Unit 2445

/VIVEK SRIVASTAVA/  
Supervisory Patent Examiner, Art Unit 2445